

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In the Matter of the Application of
LUFTHANSA TECHNICK AG, Petitioner, for
an Order Pursuant to 28 U.S.C. § 1782 to Take
Discovery, Pursuant to the Federal Rules of
Civil Procedure, of Respondent PANASONIC
AVIONICS CORPORATION, for Use in
Foreign Proceedings, with ASTRONICS
ADVANCED ELECTRONIC SYSTEMS as
Intervenor.

CASE NO. C17-1453-JCC

ORDER

This matter comes before the Court on Petitioner Lufthansa Technick AG's motion to enforce the Court's prior order and for a finding of contempt (Dkt. No. 155). In its motion, Lufthansa asserts that Intervenor Astronics Advanced Electronic Systems Corp. ("AES") has not fully complied with the Court's June 22, 2021 order (Dkt. No. 152) compelling AES to produce certain documents responsive to Lufthansa's 2019 subpoena in support of its European patent infringement suits. (*See generally* Dkt. No. 155.)

While AES concedes that it had not fully complied with the Court's order by November 4, 2021, when Lufthansa moved to enforce and for sanctions, (*see* Dkt. No. 160 at 10), AES contends that it has now fully complied. (*See* Dkt. No. 170). Lufthansa disputes the completeness and adequacy of AES's final production. (*See* Dkt. No. 171 at 4–7.) But it is not entirely clear to the Court what the state of AES's production is, given what Lufthansa contends are systematic deficiencies in AES's production. (*See* Dkt. No. 164-1 at 3.)

The most expedient way to resolve the dispute appears to be to move forward with the proposed Rule 30(b)(6) deposition(s) regarding the discovery produced to date. (*See* Dkt. Nos. 155 at 3, 160 at 2.) Following the deposition(s), Lufthansa may renew its motion. Accordingly, AES is ORDERED, by no later than December 17, 2021, to make one or more of its representatives available for a deposition responsive to topics¹ identified by Lufthansa, who shall do so no later than December 9, 2021. Should Lufthansa deem that a renewed and/or revised motion is necessary following completion of the deposition(s), Lufthansa may so move on the following expedited basis:

- Noting date: 10 days after the filing date;
- Response brief due: 3 days before the noting date, and
- Reply brief due: on the noting date²

The Clerk is DIRECTED to terminate Lufthansa's motion (Dkt No. 155).

DATED this 2nd day of December 2021.



John C. Coughenour
UNITED STATES DISTRICT JUDGE

¹ The topics proposed may be both substantive and procedural, including the manner in which AES compiled the information sought, but they are limited in scope to the information sought in the 2019 subpoena.

² In supporting their briefing on the revised motion, the parties may refer to declarations to date and/or provide supplemental declarations as they deem necessary.